

## **ACCESS TO PROGRAMS, SERVICES AND FACILITIES** **BY PERSONS WITH DISABILITIES**

### **POLICY**

It is the policy of the Department of General Services (DGS) to not discriminate on the basis of a disability or impairment. It is further the policy of the department not to exclude persons with a disability or impairment from participation in any program or activity. Accordingly, it is the policy of the DGS to provide access to all of its programs, services and facilities to persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA). Requests or inquiries for access to programs, services or facilities can be made to the DGS Equal Employment Opportunity (EEO) Office at (916) 376-5127 (CALNET 480-5127), TDD (916) 376-5119 (CALNET 480-5119), California Relay Service 1-800-735-2922 or 7-1-1, Speech to Speech Service 1-800-854-7784.

In the event that a request for access to programs, services or facilities cannot be resolved with the assistance of the department's EEO Office, a complaint may be filed in writing to the DGS ADA Coordinator.

The DGS has adopted the following ADA Grievance Procedure providing for prompt and equitable resolution of any complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA.

### **ADA Grievance Procedure**

This ADA Grievance Procedure may be used by anyone who wishes to file a complaint alleging a violation of Title II of the ADA, based upon any action taken by the DGS. The steps of the DGS ADA Grievance Procedures are set forth below:

**Step 1.** The complaint should be filed in writing within 14 calendar days after the alleged violation occurs or as soon thereafter as the complainant and/or their representative become aware of the alleged violation. The complaint should be filed on the attached [ADA grievance form](#). The complaint should include any and all facts, documents and other materials relevant to and in support of, the alleged violation. Within 14 calendar days following receipt of the complaint, the DGS will acknowledge and notify the complainant and/or his or her representative, of the receipt of the complaint.

**Step 2.** Based upon the DGS' review of the allegations contained in the complaint, an investigation, if determined to be appropriate and/or necessary, will be conducted within 30 calendar days after the date of the acknowledgment and notification of the complainant and/or his or her representative of the receipt of the complaint. The investigation may include an informal presentation of the complaint by the complainant and/or their representative. Investigations will be completed within 60 calendar days from the date on which the acknowledgment and notification of the complainant and/or his or her representative of the receipt of the complaint. The DGS may extend this period of time, as needed, or as is necessary to complete the investigation. The DGS will

communicate any determination made regarding an extension of time to investigate to the complainant and/or his or her representative.

**Step 3.** The DGS will communicate a determination of the results of its investigation to the complainant and/or his or her representative within 14 calendar days after the completion of the investigation.

**Step 4.** The complainant and/or his or her representative may request reconsideration of the DGS determination within 14 calendar days of receipt of the determination of the DGS by the complainant and/or his or her representative to the DGS Director. The Director of the DGS, in his or her discretion, may review the request and take whatever action, if any, he or she determines is appropriate.

#### Filing a Complaint by Alternative Means

If at all possible, a complaint should be filed on the attached [ADA grievance form](#). If necessary, an alternative means of filing a complaint can be made available for disabled members of the public and/or their representatives upon request made to the ADA Coordinator. If a complaint is made through alternative means, once the ADA Coordinator has sufficient facts to formulate a complaint, the time for resolving a complaint by alternative means and disposition of that complaint shall be the same as if a written complaint were filed. As such, a determination will be communicated in the appropriate format accessible to the complainant.

#### Other Remedies

Use of the DGS ADA Grievance Procedure does not preclude other remedies, otherwise available by law.

#### File Retention

Any complaint filed pursuant to this policy and any materials gathered as a result of any investigation conducted, if any, shall be maintained for a period of 3 years by the DGS EEO Office pursuant to the requirements of Title II.

**ALTERNATIVE FORMATS:** In accordance with the California Government Code and ADA requirements, this publication can be made available in Braille, large print, computer disk, or tape cassette as a disability-related reasonable accommodation for an individual with a disability. To discuss how to receive a copy of this publication in an alternative format, please contact (DGS EEO Office, 707 3<sup>rd</sup> Street, 9<sup>th</sup> Floor, West Sacramento, CA 95605, (916) 376-5127, TDD (916) 376-5119